

Congress of the United States
Washington, DC 20515

June 8, 2012

The Honorable Greg Jaczko
Chairman
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Dear Chairman Jaczko:

We write concerning the current emergency response capability at the Pilgrim Nuclear Generating Station in Plymouth, Massachusetts in light of the labor dispute that is taking place there. In a June 6 email to Rep. Markey's office, Nuclear Regulatory Commission (NRC) staff said that Entergy, the licensee of the plant, had implemented a contingency staffing plan at the site after negotiations between the company and the Utility Workers Union of American Local 369 leadership were unable to reach an agreement for a new union contract. These nearly 250 Union workers – including plant staff from operations, maintenance, radiation protection, and chemistry operations – were escorted offsite following the expiration of their contract at midnight June 5. To fill these staffing gaps, Entergy has individuals from Pilgrim's management team, as well as other managers from its nuclear fleet, filling the necessary positions.

We are concerned that individuals whose daily jobs may not involve actual operation of a nuclear power plant would be severely challenged in the event of an emergency at the facility. As you know, the catastrophic meltdowns at the Fukushima Dai-ichi nuclear power plant in Japan occurred within hours of the loss of offsite power, and radiation releases began within about eleven hours of the earthquake, proceeding to intensify thereafter. While Entergy management may understand the theoretical manner in which a nuclear power plant operates, theory is rarely a substitute for the sort of practical, hands-on experience the locked-out workers possess. Even if these managers had past experience in nuclear power plant operations, they are still less likely to be prepared to respond to an emergency in as skilled and as rapid a manner as those who, until the recent lock-out, had worked at the facility day in and day out.

With these concerns in mind, we ask the following questions:

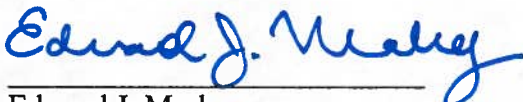
1. Can you quantify the extent to which the individuals from Entergy management teams and the managers from other plants in Entergy's nuclear fleet possess the same set of skills and training in emergency response as the displaced union workers? For example, for each such management worker, please indicate a) the number of hours the individual spent operating a nuclear power plant in the past year, b) the number of hours the individual has spent operating the Pilgrim plant in the past five years, c) the number of hours the individual has spent operating a nuclear power plant of the same design as the Pilgrim plant in the past five years, and d) the number of hours the individual spent being

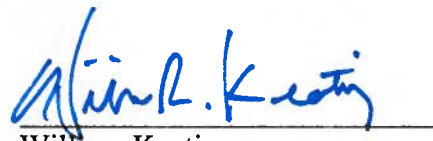
trained in emergency response and mitigation processes and procedures in both the year preceding and the time following the Fukushima meltdowns.

2. Please also provide this information for each of the workers that are currently "locked-out" of the facility as a consequence of the labor strike.
3. A May 12, 2012 notice issued by the NRC states: "The NRC provided 24-hour onsite coverage since the expiration of the contract. Additionally, the NRC will continue to inspect Entergy's strike contingency plans per established inspection procedures (Inspection Procedure 92709, "Licensee Strike Contingency Plans"). NRC enhanced oversight of 24-hour onsite coverage will resume on May 25, 2012 should an extension or new contract agreement not be reached to ensure the plant continues to be operated in a safe manner." Does the enhanced NRC oversight and inspection of Pilgrim during the strike include any testing of the knowledge and capacity of the replacement employees to respond to various emergency scenarios? If not, why not? If so, what have you found?
4. Can the NRC truly ensure that the residents of Massachusetts living near the plant are as safe in the event of an emergency today as they were when the Union workers were operating the plant earlier this week? Please fully explain your response.

Thank you for your attention to this important matter. We request that you provide your response no later than the close of business on Friday June 15, 2012. If you have any questions or concerns, please have your staff contact Michal Freedhoff or Ross Collins at (202) 225-2836 in Rep. Markey's office or Kerry O'Brien in Rep. Keating's staff at (202) 225-3111.

Sincerely,


Edward J. Markey


William Keating